

FILED - USDC -NH  
2023 DEC 11 PM12:27

***UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE***

**Karen Testerman, *pro se***  
**Lynn-Diane Briggs, *pro se***  
**Wayne Paul Saya, Sr., *pro se***  
*Plaintiffs*

*Vs*

**DAVID SCANLAN**  
**SECRETARY OF STATE FOR NEW HAMPSHIRE, et al,**  
*Defendants*

*Docket No.23-cv-00499-JL-AJ*

**PLAINTIFF WAYNE PAUL SAYA, SR. *PRO SE*  
MOTION TO AMEND COMPLAINT**

Now comes the Plaintiff, Wayne Paul Saya, Sr., *pro se*, in the above-entitled and number action, hereby moves this honorable court pursuant to Fed. R. Civ. P. 15(a), to amend my complaint for the reasons as follows:

First, I changed to a size 13 font, reduced from 14 in order to make the page count under 25 pages.

Secondly, I changed all references from a plural "Plaintiffs" to singular "Plaintiff".

Third, the argument and claims have not changed, but only clarified, and no claims have been added or subtracted.

Fourth, my Affidavit and Exhibits in support have not changed, and therefore have requested 'leave of the court' to request permission of the court to attach those original documents to the Amended Complaint.

1. The dates offered in my original complaint for the U.S. congressional primary have been changed from those published earlier by political organizations, now have changed pursuant to the NH secretary of state announcement and therefore require amending.
2. An error was made in my pleadings regarding count II (**pars 3, 43, 59, and Count II**), where as a pro se litigant I selected a criminal federal statute for counts I and II of my pleadings as opposed to the appropriate civil statute, 52 U.S.C. § 21085 - U.S. Code - Unannotated Title 52. Voting and Elections § 21085, *Methods of implementation left to discretion of State*, which I used in my draft, but was not transferred to my final complaint.
3. Did not reference the New Hampshire constitutional (Bill of Rights) in my **counts III and IV**, and did not reference that these claims were colorable under 18 U.S. Code §242 as I did include within my jurisdiction and venue section and I did include within my argument of the complaint. Now included as described.
4. Did not “clearly” reference in my complaint; Const. N.H. Part I, art. 1 and 11, and the N.H. due-process clause of Article 14, added to **par 1** and in the headings of **Claim III and Claim IV**.
5. I did not include in my Jurisdiction or in my complaint, NH Constitution Art 7 (State Sovereignty) and N.H. Rev. Stat. Ann. §§ 541-B et seq. (governing state liability), both now incorporated in **par 48**, and RSA 652:23 showing the NH Sec of State is the chief elections officer, now incorporated in **par 40** (Parties)
6. Because the Presidential primary is scheduled for January 23<sup>rd</sup>, 2024, (next month), the Relief Sought in **paragraph “B”** has been modified to include a not to exceed

date of December 31<sup>st</sup>, 2023, for preliminary relief, and relief sought in paragraph "C" was modified to add the "Elections Clause" to the "Elector's Clause".

7. Page 23 in my Prayer for Relief, I ask for the court's help as described in my first sentence.
8. I added an additional **Order**, requesting the court to "**waive**" the Defendants timely reply for providing answers to this Amended complaint.

Assent Requested: I have requested each of the Defendants and Plaintiffs, by-way-of email, for their assent to my Motion to Amend my complaint.

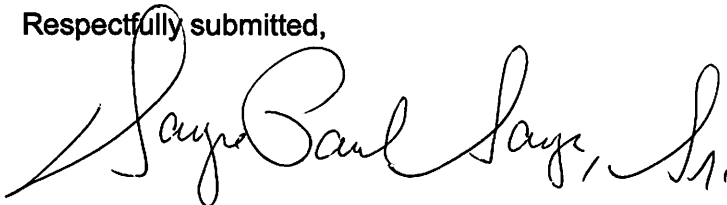
Wherefore, I wish to apologize to the court for these failures as a pro se litigant, not trained in filing law suits.

Prayer for Relief

Therefore, I pray the court will accept and approve my motion, in the interest of justice, or for any reason this court may deem fair and just.

**SWORN TO UNDER PAINS AND PENALTIES OF PERJURY THIS 10<sup>TH</sup> DAY OF DECEMBER, 2023.**

Respectfully submitted,

A handwritten signature in black ink, reading "Wayne Paul Saya, Sr." in a cursive script.

Wayne Paul Saya, Sr.  
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## CERTIFICATE OF SERVICE

I, Wayne Paul Saya, Sr., *pro se*, have caused to deliver the named Plaintiffs the following: PLAINTIFF WAYNE PAUL SAYA, SR. MOTION TO AMEND COMPLAINT, and the foregoing documents have been served upon the following Defendants and Plaintiffs, via email and U.S. postage pre-paid:

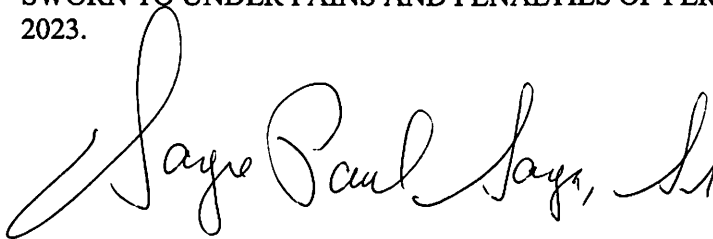
David Scanlan, Defendant  
Secretary of State of New Hampshire  
ATTENTION: Brendan Avery O'Donnell  
NH Department of Justice (Concord)  
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SWORN TO UNDER PAINS AND PENALTIES OF PERJURY this 10th day of December, 2023.



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